

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-6, 8-13, 15-18, 20-25 and 53-56 are in this case. Claims 1-6, 8-13, 15-18, 20-25 and 53-56 have been rejected under § 102(b) or § 103(a).

Independent claims 1, 13, 53 and 54 have now been amended. New dependent claim 57 has been added. As a result of these amendments, the claims pending before the Examiner will be claims 1-6, 8-13, 15-18, 20-25 and 53-57.

Interview Summary

Reference is made to a telephone interview on May 7, 2009, with follow-up conversations on May 20, May 21 and May 22, between Examiner Koharski for the PTO and Applicant's representative, undersigned. The interview related to the § 102(b) and § 103(a) rejections of the independent claims over the Palmer reference, alone or in combination with Olson. The follow-up conversations related to successive versions of a proposed amendment, culminating in agreement on the allowability of the amended set of claims as submitted herewith.

The Applicant pointed out the distinctions between the motion of the microneedles of Palmer relative to the skin and that of the present invention. Specifically, the Palmer reference generates radial stretching of the skin outwards from the center of the microneedle array, and does not generate net sideways movement of the microneedles relative to the initial position of the skin as performed by the present invention.

The Examiner suggested that the claim language be amended to recite more clearly the motion of the microneedles relative to the initial position of the biological

barrier. Agreement was reached on the amended claim language as submitted herewith that it would overcome the rejections.

The Applicant greatly appreciates the Examiner's helpfulness in this matter, particularly at this stage of the prosecution.

§ 102(b) & § 103(a) Rejections

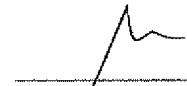
The Examiner has rejected claims 1, 10 and 11 under 35 U.S.C. 102(b) as being anticipated by Palmer (US 6537242). The Examiner has also rejected claims 2, 3, 4, 7, 8, 13, 15-17, 19, 20, 22-24, 53, 54 and 56 under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Olson (US 6749792). The Examiner's rejections are respectfully traversed.

While continuing to traverse the Examiner's rejections, in order to expedite the prosecution, the Applicant has chosen to amend the independent claims to further clarify the motion of the microneedles of the present invention relative to the initial position of the biological barrier, in a manner discussed and agreed with the Examiner, as detailed in the interview summary above, thereby clearly distinguishing over the motion of the Palmer reference.

A feature not considered essential to claim 13 has been deleted from the claim, instead being presented as new dependent claim 57, also as discussed with the Examiner.

In view of the above amendments and the discussions summarized in the interview summary, it is respectfully submitted that independent claims 1, 13, 53 and 54, and hence also claims 2-6, 8-12, 15-18, 20-25 and 55-57 which depend therefrom, are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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